

FISCAL NOTE

Bill #: HB0061

Title: Montana Supreme Court Election
Campaign Financing Act

Primary

Sponsor: John Cobb

Status: As introduced

Sponsor signature	Date	Dave Lewis, Budget Director	Date
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Fiscal Summary

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
Expenditures:		
General Fund	\$2,850	\$2,850
Revenue:		
General Fund	(\$7,000)	(\$307,000)
State Special Revenue	4,150	304,150
Net Impact on General Fund Balance:	(\$7,000)	(\$307,000)

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
	X	Significant Local Gov. Impact	X		Technical Concerns
	X	Included in the Executive Budget	X		Significant Long-Term Impacts

Fiscal Analysis

ASSUMPTIONS:

Department of Revenue

1. The number of individuals who will use the Montana Supreme Court campaign financing check-off will approximate the average for the current check-offs for agriculture in the schools, child abuse prevention, and the non-game wildlife program for the 1997 tax year, or approximately 1,400. At \$5 per check-off, the amount of general fund diverted is \$7,000 annually.

2. The department currently expends \$2,850 annually for administrative expenses for each check-off program and expects the annual administrative expense for this check-off program would also be \$2,850, received from the general fund before deposit into the account created in Section 4.
3. The \$300,000 general fund transfer authorized in Section 8 of the bill occurs in FY 2001.

Secretary of State

4. The administration of these duties by the Secretary of State would be minimal and completed with current resources.

FISCAL IMPACT:

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
<u>Expenditures:</u>		
Operating Expenses	\$2,850	\$2,850
<u>Funding:</u>		
General Fund (01)	\$2,850	\$2,850
<u>Revenues:</u>		
General Fund (01)	(\$7,000)	(\$307,000)
State Special Revenue (02)	4,150	304,150
<u>Net Impact to Fund Balance (Revenue minus Expenditure):</u>		
General Fund (01)	(\$7,000)	(\$307,000)
State Special Revenue (02)	4,150	304,150

LONG-RANGE IMPACTS:

1. Section 8(2) of the bill authorizes a \$1,250,000 general fund transfer to the account established in Section 4 of the bill to be used for Supreme Court election campaign financing purposes.

TECHNICAL NOTES:

1. The Secretary of State's office would encourage the sponsor to change the legislation and have the program administered through the Commissioner of Political Practices, as it is an issue of campaign finance and not elections.
2. Section 8 of the bill authorizes general fund transfers in fiscal years 2001 and 2003. These transfers should be considered general fund appropriations.
3. Section 8(1) should be considered a general fund appropriation in FY 2001.
4. Section 8(2) should be considered a general fund appropriation for FY 2003. An appropriations bill cannot appropriate funds beyond the budgeted biennium (in this case the 2001 biennium) and one Legislature cannot commit future Legislatures to specific expenditures.